



**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**DAVID CORLISS and
MATTHEW ST. PIERRE,**

Plaintiffs,

v.

**AMERICAN BLUE RIBBON
HOLDINGS, LLC,**

Defendant.

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NO: 3:17-cv-01169

Judge Trauger

JOINT MOTION TO DISMISS WITHOUT PREJUDICE

On September 13, 2017, Defendant filed a Motion to Dismiss and Compel Arbitration or, in the Alternative, Motion to Stay (Dkt. 10). Plaintiffs and the Opt-In Plaintiff (together, “Plaintiffs”) have decided to pursue their claims in arbitration. The parties are attempting to select a mutually agreeable arbitrator or arbitrators. If the parties cannot agree on the arbitrator or arbitrators, the parties will make submissions to the Court regarding arbitrator appointment. The parties have agreed that Plaintiffs’ Fair Labor Standards Act and any and all state law wage and hour and overtime claims have been tolled since August 17, 2017 and will remain tolled until Plaintiffs file their arbitration demand(s).

For the foregoing reasons, the parties jointly request that the Court dismiss this action without prejudice and enter the proposed Order on Joint Motion to Dismiss Without Prejudice.

Dated: October 18, 2017

Respectfully submitted,

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